In re Application of: PATENT Attorney Docket No.: AERO1210-2

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## Amendments to the Claims:

Please add claims 60-64.

The listing of claims will replace all prior versions, and listings of claims in the application:

## **Listing of Claims:**

- 1. (Original) A purified polynucleotide comprising
- a) a nucleotide sequence as set forth in SEQ ID NO: 2, SEQ ID NO: 3, SEQ ID NO: 4, SEQ ID NO: 5, SEQ ID NO: 6, SEQ ID NO: 7, or SEQ ID NO: 8; or
- b) a nucleotide sequence encoding a polypeptide having an amino acid sequences set forth in SEQ ID NO: 10, SEQ ID NO: 11, SEQ ED NO: 12, SEQ ID NO: 13, SEQ ID NO: 14, SEQ ID NO: 15, or SEQ ID NO: 16.
- 2. (Original) An expression vector comprising the polynucleotide of claim 1.
- 3. (Original) host cell comprising the expression vector of claim 2.
- A method of making a modified IL-4 mutein receptor antagonist, 4. (Original) comprising the steps of:
- a) culturing the host cell of claim 3 under conditions whereby the antagonist is expressed; and
  - b) purifying the antagonist from the host cell culture.
- A modified IL-4 mutein receptor antagonist produced by the method of 5. (Original) claim 4, wherein the antagonist inhibits IL-4 and IL-13-mediated activity.
- The modified IL-4 mutein receptor antagonist of claim 5 coupled to a non-6. (Original) protein polymer selected from the group consisting of polyethylene glycol, polypropylene

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glycol and polyoxyalkylenes.

7. (Original) The modified IL-4 mutein receptor antagonist of claim 6 wherein the modified mutein receptor antagonist binds to the IL-4 receptor alpha chain with a  $K_d$  of about 0.1 nM to about 10  $\mu$ M, about 0.5 nM to about 1  $\mu$ M, or about 1.0 nM to about 100 nM.

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- 8. (Original) The modified IL-4 mutein receptor antagonist of claim 6 wherein the modified IL-4 mutein receptor antagonist inhibits the proliferative response of TF-1 cells to IL-4 with an IC<sub>50</sub> of about 0.1 nM to about 10  $\mu$ M, about 0.5 nM to about 1  $\mu$ M, or about 1.0 nM to about 100 nM.
- 9. (Original) The modified IL-4 mutein receptor antagonist of claim 6 wherein the modified IL-4 mutein receptor antagonist inhibits the proliferative response of TF-1 cells to IL-13 with an IC<sub>50</sub> of about 0.1 nM to about 10  $\mu$ M, about 0.5 nM to about 1  $\mu$ M, or about 1.0 nM to about 100 nM.
- 10. (Original) The modified IL-4 mutein receptor antagonist of claim 6 wherein the modified IL-4 mutein receptor antagonist inhibits the proliferative response of human B cells to IL-4 with an IC<sub>50</sub> of about 0.1 nM to about 10  $\mu$ M, about 0.5 nM to about 1  $\mu$ M, or about 1.0 nM to about 100 nM.
- 11. (Original) The modified IL-4 mutein receptor antagonist of claim 6 wherein the modified IL-4 mutein receptor antagonist inhibits the proliferative response of human T cells to IL-4 with an IC<sub>50</sub> of about 0.1 nM to about 10  $\mu$ M, about 0.5 nM to about 1  $\mu$ M, or about 1.0 nM to about 100 nM.

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12. (Original) The modified IL-4 mutein receptor antagonist of claim 6 wherein the modified IL-4 mutein receptor antagonist has a plasma half-life which is at least about 2-10 fold greater than that of an unmodified IL-4 receptor antagonist.

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- 13. (Original) The modified IL-4 mutein receptor antagonist of claim 6 wherein the modified IL-4 mutein receptor antagonist is coupled to the non-protein polymer an amino acid residue at position 28, 36, 37, 38, 104, 105 or 106 of IL-4.
- 14. (Original) The modified IL-4 mutein receptor antagonist of claim 13 wherein the amino acid residue at position 28, 36, 37, 38, 104, 105 or 106 is cysteine.
- 15. (Original) A method of treating a human disorder associated with increased activity of IL-4 and IL-13, comprising the steps of:
- a) providing a human having a condition in which activity of IL-4 and IL-13 is increased; and
- b) administering to said human an effective amount of modified IL-4 mutein receptor antagonist of claim 6.
- 16. (Original) The method of claim 15 wherein the disorder is asthma, chronic obstructive pulmonary disease, or related pulmonary conditions
- 17. (Original) The method of claim 16 wherein the chronic obstructive pulmonary disease is emphysema or chronic bronchitis.
- 18. (Original) A pharmaceutical composition comprising:
  - a) the modified IL-4 mutein receptor antagonist of claim 6; and
  - b) a pharmaceutically acceptable carrier.

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19. (Original) A method of treating a human disorder associated with increased activity of IL-4 and IL-13, comprising the steps of:

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- a) providing a human having a condition in which activity of IL-4 and IL-13 is increased; and
- b) administering to said human an effective amount of the pharmaceutical composition of claim 18.
- 20. (Original) The method of claim 19 wherein the disorder is asthma, chronic obstructive pulmonary disease, or related pulmonary conditions.
- 21. (Original) The method of claim 20 wherein the chronic obstructive pulmonary disease is emphysema or chronic bronchitis
- 22. (Original) A modified IL-4 mutein receptor antagonist coupled to a non-protein polymer at an ammo acid residue at position 28, 36, 37, 38, 104, 105 or 106 of IL-4, wherein the non-protein polymer is polyethylene glycol, polypropylene glycol or a polyoxyalkylene.
- 23. (Original) The modified IL-4 mutein receptor antagonist of claim 22 comprising an amino acid sequence as set forth in SEQ ID NO: 10.
- 24. (Original) The modified IL-4 mutein receptor antagonist of claim 22 comprising an amino acid sequence as set forth in SEQ ID NO: 11.
- 25. (Original) The modified IL-4 mutein receptor antagonist of claim 22 comprising an amino acid sequence as set forth in SEQ ED NO: 12.

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26. (Original) The modified IL-4 mutein receptor antagonist of claim 22 comprising an

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amino acid sequence as set forth in SEQ ID NO: 13.

27. (Original) The modified IL-4 mutein receptor antagonist pf claim 22 comprising an

amino acid sequence as set forth in SEQ ID NO: 14.

28. (Original) The modified IL-4 mutein receptor antagonist of claim 22 comprising an

amino acid sequence as set forth in SEQ ID NO: 15.

29. (Original) The modified IL-4 mutein receptor antagonist of claim 22 comprising an

amino acid sequence as set forth in SEQ ID NO: 16.

30. (Original) The modified IL-4 mutein receptor antagonist of claim 22 wherein the

modified mutein receptor antagonist binds to the IL-4 receptor alpha chain with a K<sub>d</sub> of

about 0.1 nM to about 10 µM, about 0.5 nM to about 1 µM, or about 1.0 nM to about

100 nM.

31. (Original) The modified IL-4 mutein receptor antagonist of claim 22 wherein the

modified IL-4 mutein receptor antagonist inhibits the proliferative response of TF-1 cells

to IL-4 with an IC<sub>50</sub> of about 0.1 nM to about 10  $\mu$ M, about 0.5 nM to about 1  $\mu$ M, or

about 1.0 nM to about 100 nM.

32. (Original) The modified IL-4 mutein receptor antagonist of claim 22 wherein the

modified IL-4 mutein receptor antagonist inhibits the proliferative response of TF-1 cells

to IL-13 with an IC<sub>50</sub> of about 0.1 nM to about 10  $\mu$ M, about 0.5 nM to about 1  $\mu$ M, or

about 1.0 nM to about 100 nM.

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33. (Original) The modified IL-4 mutein receptor antagonist of claim 22 wherein the

modified IL-4 mutein receptor antagonist inhibits the proliferative response of human B

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cells to IL-4 with an IC<sub>50</sub> of about 0.1 nM to about 10  $\mu$ M, about 0.5 nM to about 1  $\mu$ M,

or about 1.0 nM to about 100 nM.

34. (Original) The modified IL-4 mutein receptor antagonist of claim 22 wherein the

modified IL-4 mutein receptor antagonist inhibits the proliferative response of human T

cells to IL-4 with an IC<sub>50</sub> of about 0.1 nM to about 10  $\mu$ M, about 0.5 nM to about 1  $\mu$ M,

or about 1.0 nM to about 100 nM.

35. (Original) The modified IL-4 mutein receptor antagonist of claim 22 wherein the

modified IL-4 mutein receptor antagonist has a plasma half-life which is at least about 2-

10 fold greater than that of an unmodified IL-4 receptor antagonist.

36. (Original) The modified IL-4 mutein receptor antagonist of claim 22 wherein the

amino acid residue at position 28, 36, 37, 38, 104,105 or 106 is cysteine.

37. (Original) A pharmaceutical composition comprising:

- a) the modified IL-4 mutein receptor antagonist of claim 22; and
- b) a pharmaceutically acceptable carrier.

38. (Original) A method of treating a human disorder associated with increased activity

of IL-4 and IL-13, comprising the steps of:

a) providing a human having a condition in which activity of IL-4 and IL-13 is

increased; and

b) administering to said human an effective amount of the pharmaceutical

composition of claim 37.

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39. (Original) The method of claim 38 wherein the disorder is asthma, chronic obstructive pulmonary disease, or related pulmonary conditions.

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- 40. (Original) The method of claim 39 wherein the chronic obstructive pulmonary disease is emphysema or chronic bronchitis.
- 41. (Original) A method of making a modified IL-4 mutein receptor antagonist in active form, comprising the steps of:
  - a) culturing the host cell of claim 3 under conditions whereby the antagonist is expressed;
    - b) allowing the antagonist to refold in the presence of dithiothreitol; and
    - c) purifying the antagonist from the host cell culture.
- 42. (Original) The method of claim 41, further comprising the steps of:
  - d) coupling the antagonist to a non-protein polymer; and
  - e) purifying the antagonist coupled to the non-protein polymer.
- 43. (Original) A modified IL-4 mutein receptor antagonist produced by the method of claims 41 or 42, wherein the antagonist inhibits IL-4 and IL-13-mediated activity.
- 44. (Original) The modified IL-4 mutein receptor antagonist of claim 43 wherein the non-protein polymer is polyethylene glycol, polypropylene glycol or a polyoxyalkylene.
- 45. (Original) The modified IL-4 mutein receptor antagonist of claim 44 wherein the modified mutein receptor antagonist binds to the IL-4 receptor alpha chain with a  $K_d$  of about 0.1 nM to about 10  $\mu$ M, about 0.5 nM to about 1  $\mu$ M, or about 1.0 nM to about 100 nM.

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46. (Original) The modified IL-4 mutein receptor antagonist of claim 44 wherein the

modified IL-4 mutein receptor antagonist inhibits the proliferative response of TF-1 cells

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to IL-4 with an IC<sub>50</sub> of about 0.1 nM to about 10  $\mu$ M, about 0.5 nM to about 1  $\mu$ M, or

about 1.0 nM to about 100 nM.

47. (Original) The modified IL-4 mutein receptor antagonist of claim 44 wherein the

modified IL-4 mutein receptor antagonist inhibits the proliferative response of TF-1 cells

to IL-13 with an IC<sub>50</sub> of about 0.1 nM to about 10  $\mu$ M, about 0.5 nM to about 1  $\mu$ M, or

about 1.0 nM to about 100 nM.

48. (Original) The modified IL-4 mutein receptor antagonist of claim 44 wherein the

modified IL-4 mutein receptor antagonist inhibits the proliferative response of human B

cells to IL-4 with an IC<sub>50</sub> of about 0.1 nM to about 10 µM, about 0.5 nM to about 1 µM,

or about 1.0 nM to about 100 nM.

49. (Original) The modified IL-4 mutein receptor antagonist of claim 44 wherein the

modified IL-4 mutein receptor antagonist inhibits the proliferative response of human T

cells to IL-4 with an IC<sub>50</sub> of about 0.1 nM to about 10 µM, about 0.5 nM to about 1 µM,

or about 1.0 nM to about 100 nM.

50. (Original) The modified IL-4 mutein receptor antagonist of claim 44 wherein the

modified IL-4 mutein receptor antagonist has a plasma half-life which is at least about 2-

10 fold greater than that of an unmodified IL-4 receptor antagonist.

51. (Original) The modified IL-4 mutein receptor antagonist of claim 44 wherein the

modified IL-4 mutein receptor antagonist is coupled to the non-protein polymer an amino

acid residue at position 28, 36, 37, 38,104,105 or 106 of IL-4.

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52. (Original) The modified IL-4 mutein receptor antagonist of claim 51 wherein the amino acid residue at position 28, 36, 37, 38, 104, 105 or 106 is cysteine.

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- 53. (Original) A method of treating a human disorder associated with increased activity of IL-4 and IL-13, comprising the steps of:
- a) providing a human having a condition in which activity of IL-4 and IL-13 is increased; and
- b) administering to said human an effective amount of modified IL-4 mutein receptor antagonist of claim 44.
- 54. (Original) The method of claim 53 wherein the disorder is asthma, chronic obstructive pulmonary disease, or related pulmonary conditions.
- 55. (Original) The method of claim 54 wherein the chronic obstructive pulmonary disease is emphysema or chronic bronchitis.
- 56. (Original) A pharmaceutical composition comprising:
  - a) the modified IL-4 mutein receptor antagonist of claim 43; and
  - b) a pharmaceutically acceptable carrier.
- 57. (Original) A method of treating a human disorder associated with increased activity of IL-4 and IL-13, comprising the steps of:
- a) providing a human having a condition in which activity of IL-4 and IL-13 is increased; and
- b) administering to said human an effective amount of the pharmaceutical composition of claim 56.

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58. (Original) The method of claim 57 wherein the disorder is asthma, chronic obstructive pulmonary disease, or related pulmonary conditions.

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- 59. (Original) The method of claim 58 wherein the chronic obstructive pulmonary disease is emphysema or chronic bronchitis.
- 60. (New) The modified IL-4 mutein receptor antagonist of claim 6 wherein the modified IL-4 mutein receptor antagonist is coupled to the non-protein polymer at amino acid residue position 38 of IL-4.
- 61. (New) The modified IL-4 mutein receptor antagonist of claim 6 wherein the modified IL-4 mutein receptor antagonist is coupled to the non-protein polymer at amino acid residue position 104 of IL-4.
- 62. (New) The modified IL-4 mutein receptor antagonist of claim 60 or 61, wherein the amino acid residue at position 38 or 104 is cysteine.
- 63. (New) A modified IL-4 mutein receptor antagonist of claim 60 or 61, wherein the non-protein polymer is polyethylene glycol, polypropylene glycol or a polyoxyalkylene.
- 64. (New) The modified IL-4 mutein receptor antagonist of claim 63, wherein the non-protein polymer is polyethylene glycol (PEG).